

THE HONORABLE MARY K. DIMKE  
Trial Date: February 3, 2025

Meredith A. Sawyer  
HWS LAW GROUP  
1500 Fourth Ave, Suite 200  
Seattle WA 98101  
Phone: 206-262-1200  
Email: msawyer@hwslawgroup.com

Anthony R. Scisciani III  
HWS LAW GROUP  
1500 Fourth Ave, Suite 200  
Seattle WA 98101  
Phone: 206-262-1200  
Email: Ascisciani@hwslawgroup.com

*Attorneys for Defendant BMW of Spokane*

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF WASHINGTON

DANIEL F. SHIRLEY

Plaintiff,

v.

BMW OF NORTH AMERICA, LLC, a  
foreign limited liability company, BMW  
FINANCIAL SERVICES NA, LLC, a foreign  
limited liability company, BMW OF  
SPOKANE, a foreign limited liability  
company,

Defendants.

Case No. 2:23-CV-00349-MKD

**STIPULATED MOTION FOR SHORT  
EXTENSION OF DISPOSITIVE  
MOTIONS DEADLINE**

**AND**

**[PROPOSED] ORDER**

**COMES NOW**, the Parties by and through their counsel of record, and respectfully move  
this Court, via stipulation as follows:

**I. STIPULATION**

1. The parties make this motion in good faith and not for the purpose of unreasonable  
delay.

2. The parties incorporate by reference the following:

a. Bench Trial Scheduling Order, filed February 8, 2024 [ECF#16];

1 b. Stipulation of Dismissal with Prejudice as to Defendants BMW of North  
2 America, LLC and BMW Financial Services, NA, LLC, filed September 4,  
3 2024 [ECF#22];

4 c. Defendant BMW of Spokane's Notice of Non-objection to Stipulation of  
5 Dismissal with Prejudice as to Defendants BMW of North America, LLC, and  
6 BMW Financial Services, NA, LLC, filed September 11, 2024 [ECF#23]; and

7 d. Order of Dismissal as to Defendants BMW of North America, LLC, and  
8 BMW Financial Services, NA, LLC, filed September 12, 2024 [ECF#24].

9 3. Pursuant to the Bench Trial Scheduling Order [ECF#16], All dispositive and state  
10 certification motions must be filed by **September 13, 2024**.

11 4. Pursuant to the Bench Trial Scheduling Order [ECF#16], each party must file and  
12 serve a notice of to-be-adjudicated claims and defenses by **September 13, 2024**.

13 5. The parties have discussed the current case schedule and deadlines, in conjunction  
14 with the dismissal of BMW NA, LLC and BMW Financial Services, and are working  
15 to schedule a mediation to be held within the next two (2) weeks.

16 6. The parties have discussed and agreed to a brief, two (2) week extension of the  
17 deadline to file dispositive motions, so that the status quo is preserved pending the  
18 aforementioned mediation.

19 For the above reasons, the Parties jointly request that this Court grant this Stipulated  
20 Motion for Short Extension of Dispositive Motions Deadline to September 27, 2024.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

///

1 Respectfully submitted this 13<sup>th</sup> day of September 2024.

2  
3 LAW OFFICE OF EOWEN S. ROSENTRATER, PLLC  
4

5 By: /s/ Eowen S. Rosentrater

6 Eowen S. Rosentrater, WSBA No. 36744

7 108 N. Washington, Suite 302

8 Spokane, WA 99201

9 Phone: (509) 868-5389

10 eowen@eowenlawoffice.com

11 *Attorney for Plaintiff Daniel F. Shirley*

12  
13 HWS LAW GROUP

14 By: /s/ Aaron A. John

15 Meredith A. Sawyer, WSBA No. 33793

16 msawyer@hwslawgroup.com

17 Anthony R. Scisciani III, WSBA 32342

18 ascisciani@hwslawgroup.com

19 Aaron A. John, WSBA 56459

20 ajohn@hwslawgroup.com

21 *Attorneys for Defendant BMW of Spokane*

**II. ORDER**

**IN CONFORMITY** with the foregoing Stipulation, **IT IS SO ORDERED.**

The Court's February 8, 2024, Bench Trial Scheduling Order shall be amended to allow a two (2) week extension of the deadline for all dispositive motions and notice of to-be-adjudicated claims and affirmative defenses to September 27, 2024, in conformity herewith.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
HONORABLE JUDGE MARY K. DIMKE  
UNITED STATES DISTRICT JUDGE

1 CERTIFICATE OF SERVICE

2 I certify that on September 13, 2024, I electronically filed the foregoing with the Clerk  
3 of the Court using the CM/ECF system, which will provide notification and service of such filing  
4 to all CM/ECF participants.

5  
6 DATED this 13<sup>th</sup> day of September 2024.

7 /s/ Eowen S. Rosentrater  
8 EOWEN S. ROSENTRATER, WSBA No. 36744  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26